



**Federal Communications Commission
Washington, D.C. 20554**

May 28, 2010

DA 10-973

Mr. Richard F. Arsenault
P.O. Box 337
Fortescue, New Jersey 08321-0337

Dear Mr. Arsenault:

This letter is in response to your petition dated April 13, 2010, requesting that the Commission initiate a rulemaking to permit AM stations to voluntarily implement an increase in authorized daytime operating power. You believe that such rules changes would mitigate degradation of daytime AM signal reception resulting from the interference effects of digital computers and other computing devices, Broadband over Power Lines, energy efficient fluorescent lighting with solid state switching circuitry and other electronic devices. Specifically, you propose that the Commission allow a five-year period in which AM stations may increase daytime operating power up to ten times their currently authorized power without formal application to the Commission. For the reasons set forth below, we deny the petition.

In MM Docket No. 87-267,¹ the Commission took many actions, both major and minor, to transform and revitalize the AM broadcast band. We adopted revised AM technical standards, which were designed, over time, to reduce interference in a station's primary coverage area, and we allowed migration of many of the highest AM interferers to an expanded AM band, which reduced existing interference and station congestion. We have determined that your proposal is not in the public interest because it would greatly increase the potential for interference between AM stations and would undermine the Commission's efforts to improve the AM service.

Accordingly, IT IS ORDERED that, pursuant to Sections 4(i) and 405 of the Communications Act of 1934, as amended, 47 U.S.C. §§ 154(i), 405, and Section 1.401(e) of the Commission's Rules, 47 C.F.R. § 1.401(e), the petition for rulemaking filed April 13, 2010, by Richard F. Arsenault IS DENIED.

This action is taken under delegated authority pursuant to Sections 0.61 and 0.283 of the Commission's Rules, 47 C.F.R. §§ 0.61 and 0.283.

FEDERAL COMMUNICATIONS COMMISSION

William T. Lake
Chief, Media Bureau

¹ See *Review of the Technical Assignment Criteria for the AM Broadcast Service*, Report and Order, 6 FCC Rcd 6273 (1991) (subsequent history omitted).